

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB0868
By Jordan

AN ACT amend Tennessee Code Annotated, Section 55-10-416,
relative to the transportation and possession of alcoholic
beverages or beer.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-416, is amended by deleting
the section in its entirety and substituting instead the following:

(a) No driver may transport, carry, possess, or have any alcoholic beverage or
beer within the passenger area of any motor vehicle upon a highway in this state in any
container other than the manufacturer's unopened original container except as provided
in subsection (c).

(b) No passenger may carry, possess, or have any alcoholic beverage or beer
within the passenger area of any motor vehicle upon a highway in this state in any
container other than the manufacturer's unopened original container, except as provided
in subsection (c).

(c)

(1) This section shall not apply to passengers in a van, limousine, taxi, or
any conveyance for hire or on a chartered bus or on a motor home. Provided,

however, the driver of any such vehicle is prohibited from consuming or having any alcoholic beverage or beer in or about the driver's area.

(2) For the purpose of this section, "passenger area of any motor vehicle" means the area designed to seat the driver and passengers and any area within the reach of the seated driver or passenger including the glove compartment. In a truck, station wagon, van or hatchback, the area behind the last passenger seat shall not be considered a part of the passenger area of any motor vehicle.

(d) A violation of this section is a Class B misdemeanor punishable by a fine only of up to five hundred dollars (\$500).

(e) The transportation of empty containers for the purpose of recycling or disposal does not constitute a violation of this section.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.

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